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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER LUGO LEYVA, aka JOSE JULIAN  
CORDOVA OBRADOR, aka PEDRO  
CASTRO-MEDINA,

Defendant.

CASE NO.: 2:18-cr-400-JAD-EJY-2

**STIPULATION TO CONTINUE  
SENTENCING**

(SIXTH REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by Defendant Javier Lugo Leyva, by and through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and through Nicholas A. Trutanich, United States Attorney, and Kevin Schiff, Assistant United States Attorney, that the sentencing hearing currently scheduled for October 19, 2020, at the hour of 11:00 a.m., be vacated and continued for at least ninety (90) days to a date and time that is convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Due to the national health crisis because of COVID-19, the parties request that the sentencing in this case be continued. Defense Counsel's firm has a very high-risk employee, and Defense Counsel is trying to minimize contact with public spaces at this time.
2. Mr. Leyva is in custody and will be serving a minimum of a ten (10) year sentence. Mr. Leyva will not be prejudiced by the continuance.

3. Counsel for Mr. Leyva has spoken with AUSA Kevin Schiff, and the Government agrees to the continuance.
4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”
5. The additional time requested herein is not sought for the purposes of undue delay.
6. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

DATED: October 15, 2020

Respectfully submitted,

/s/ Thomas A. Ericsson  
Thomas A. Ericsson, Esq.  
Oronoz & Ericsson, LLC  
1050 Indigo Dr., Suite 120  
Las Vegas, Nevada 89145  
Attorney for Defendant Leyva

/s/ Kevin Schiff  
Kevin Schiff, Esq.  
Assistant United States Attorney  
District of Nevada  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada, 89101  
Attorney for the United States of America

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**UNITED STATES DISTRICT COURT**  
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Plaintiff,

vs.

JAVIER LUGO LEYVA, aka JOSE JULIAN  
CORDOVA OBRADOR, aka PEDRO  
CASTRO-MEDINA,

Defendant.

CASE NO.: 2:18-cr-400-JAD-EJY-2

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Due to the national health crisis because of COVID-19, the parties request that the sentencing in this case be continued. Defense Counsel's firm has a very high-risk employee, and Defense Counsel is trying to minimize contact with public spaces at this time.
2. Mr. Leyva is in custody and will be serving a minimum of a ten (10) year sentence. Mr. Leyva will not be prejudiced by the continuance.
3. Counsel for Mr. Leyva has spoken with AUSA Kevin Schiff, and the Government agrees to the continuance.
4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed in this rule."
5. The additional time requested herein is not sought for the purposes of undue delay.
6. Additionally, denial of this request for a continuance could result in a miscarriage of justice.


**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interests of the public in proceeding with the sentencing hearing as scheduled, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant the opportunity to appear for his sentencing hearing, taking into account the exercise of due diligence.

**ORDER**

IT IS THEREFORE ORDERED that the Sentencing date in this matter scheduled for October 19, 2020, be vacated and continued to January 25, 2021, at 2:00 p.m.

Dated: October 15, 2020

  
UNITED STATES DISTRICT JUDGE